

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANNY H. BRANDT,

Plaintiff,

v.

HAROLD CLARKE, *et al.*,

Defendants.

CASE NO. C07-941-RSM-JPD

ORDER DISMISSING § 1983 ACTION

The Court, having reviewed defendants' motion to dismiss, plaintiff's response, defendants' reply, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' motion to dismiss (Dkt. No. 11) is GRANTED. The complaint and this action are DISMISSED with prejudice. This dismissal shall count as a strike under 28 U.S.C. § 1915(g).
- (3) Plaintiff's motion to amend the complaint (Dkt. No. 13) and his motion for summary judgment are DENIED.
- (4) The Clerk is directed to send a copy of this Order to plaintiff, to counsel of record, and to Judge Donohue.

DATED this 5 day of May, 2008.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE